



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,234	12/21/2004	Chua Chien Liang	2004-342	9708
27569	7590	02/08/2008		
PAUL AND PAUL 2000 MARKET STREET SUITE 2900 PHILADELPHIA, PA 19103			EXAMINER KIM, TAE K	
			ART UNIT 2153	PAPER NUMBER
			NOTIFICATION DATE 02/08/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

INFO@PAULANDPAUL.COM  
claire@paulandpaul.com  
fpanna@paulandpaul.com

## Office Action Summary

Application No.

10/519,234

Applicant(s)

LIANG, CHUA CHIEN

Examiner

Tae K. Kim

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 16-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 29-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

This is in response to the Applicant's response filed on November 8, 2007.

Claims 16 – 28 have been cancelled by the Applicant. Claims 1 – 15 and 29 – 31, where Claims 1, 29, and 30 are in independent form, are presented for examination.

### ***Claim Objections***

Claim 30 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 30 is identical to the prior Claim 29.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1, 2, 14, 29 and 30 are rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent 6,643,681, invented by Takayuki Saito et al. (hereinafter "Saito")**

1. Regarding Claims 1, 14, 29, and 30, Saito discloses a system and method to generate a group of entities from a plurality of participating entities (Figs. 1 – 4; Col. 3, Lines 45-49; each entity is a participant due to having installed the application software on the computer) where one of said participating entities expressing by indication which others of said participating entities they wish to meet (Col. 4, Line 34 – Col. 5, Line 62; user A creates a message and registers in on the message database on other users on the network on specific subjects that user is interested in). Saito further discloses of selecting to be a first member of the group an entity which has indicated at least one other of said participating entities it wishes to meet (Col. 4, Line 34 – Col. 5, Line 62; user A becomes a member of the group by sending a message with new subject matter and indicates a desire to communicate with other users that have posted messages of high subject similarity); and adding a new entity to the group by selecting said new entity from the set of indications of the last member added to said group (Col. 6, Lines 13-38; user A becomes aware of user D through the message database of user B, which was the last member added to the group generated).

2. Regarding Claim 2, Saito discloses all the limitations of Claim 1. Saito further discloses that the set of indications of an entity are the set of other entities that said entity indicated it is interested in meeting (Fig. 7; logical path network of interconnected users where user A can select to communicate with user D through user B; users B and D have already established that they are interested in meeting each other).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito.**

Regarding Claim 15, Saito discloses all the limitations of Claim 1. Saito does not specifically disclose that the entities are corporations or a combination of corporations and people.

It is well known to one skilled in the art at the time of the invention that members of a group or community can be corporations or a combination of corporations and people. Corporations are business entities that cannot perform any functions unless done through the acts of the people that represent and/or control the corporation. It would be obvious to one skilled in the art to allow corporations to communicate within the network community to exchange information that may be related to commerce done through various corporations. Doing so would allow corporate knowledge or expertise to be utilized by other corporations and to people.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over**

**Saito, in view of U.S. App. 2003/0208727 A1 filed by Michael Peter**

**Mortensen (hereinafter referenced as "Mortensen").**

6. Regarding Claim 3, Saito discloses all the limitation of Claim 1 as stated above. However, it does not specifically disclose of a grouping system comprising of repeatedly adding new members until at least one indication of the set of indications of the last new member added to said group includes one of the current members of the group.

Mortensen discloses of a method, apparatus, and a computer-readable medium enabling a computer to perform such method of grouping failed paths of an integrated circuit design into failed path sets (Para. 0001, 0013). If such node pattern (converted failing path) is already part of the node pattern set and no further node patterns are remaining, the grouping of failed paths into the failed path set is completed (Fig. 5; Para. 0046 – 0048). It is also disclosed that not all failing paths need to be considered due to the large amount of data (Para. 0013). It is obvious to one skilled in the art that the verification of whether an entry to a group has already been entered into the group to eliminate the redundancy of having duplicate entries of that entity. Furthermore, this method can be modified to eliminate the requirement to check for other entries once the first redundant entry is found since continuing to sort through all possible paths would take up

large amounts resources (Para. 0013 and 0014). This would allow an engineer to check each individually grouped failed path created once one repeated failed path is found to the engineer can begin on repairing the failed path. In regard to group formation, this would allow the members of the group to begin working on a project or communicating after a repeated entity is found to quickly begin the task the group was created for.

**Claims 4, 7, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito, in view of U.S. Appl. 2003/0167344 A1 filed by M. Abdulai Danso (hereinafter referenced as "Danso").**

7. Regarding Claims 4, 7, 13, and 31, Saito discloses all the limitation of Claims 1 and 30 as stated above. However, it does not specifically disclose of using a look ahead or look back method of choosing which one of the set of indications to choose from the last new member where the look ahead or look back consists of N generations.

Danso discloses of a method of organizing a multifunctional communications system beginning at a central entity and expanding further in a pyramidal structure, where the first entity connects with a first group of entities and the entities of the first group each are connected to other entities (Para. 0003; Fig. 1). Danso further discloses of the system where there is a predetermined number of communication levels from the central node and therefore allowing the system to validate the communication path to the last node (Para. 0015; Fig. 2). This system and method allows a user to look at the network beginning at a certain node and determine which interlinking nodes to

select to form a closed loop, or in the case of the current application a group of entities expressing interest in meeting the other (Para. 0015). This system will also allow a user to look at the last node to be included in the group and traced backwards to the beginning. It is obvious to one skilled in the art to validate the communication path from the initial node to the final node of the group through the interlinking nodes in-between them. The predetermined number of levels or entities (Para. 0032) to be included in the group can be used to prevent the formation of very large groups and to minimize the use of available resources. The look back and look forward will allow any user or entity to quickly determine which groups the user-selected nodes or entities are in since not all the requested entities will have the same interests.

8. Regarding Claims 5, 6, 8, 9, 10, and 11, Saito, in view of Danso, discloses all the limitations of Claims 1, 4, and 7 as stated above. It is well known in the art that a group formed with N generations will consist of a new member and all the entities from the prior generation (N – 1) particularly within the communication and networking environments disclosed in Saito, Mortensen, and Danso.

Likewise, it is also well known in the art that the formation of such a group, which traces through interconnected entities or nodes where there is a limit on the number entities or nodes within a communication group, can combine both look forward and look back approaches to find the one entity that closes the network loop and completes the group. Again, using the look back and look forward feature will allow any user or entity to quickly determine which groups the user-selected nodes or entities are in. Furthermore, if one particular entity is one that



was commonly traced with either the look back, look forward, or combined functions, it satisfies the Mortensen criteria of closing the group.

**Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito, in view of Application 2002/0141560 A1, filed by Media Khayatan and Anders Isven (hereinafter referenced as "Khayatan").**

Regarding Claim 12, Saito discloses all the limitation of Claim 1 as stated above. Saito does not specifically disclose that the entities under consideration are already pre-selected for in terms of having already indicated a common time and a common place to meet.

Khayatan discloses that the entities under consideration are already pre-selected for in terms of having already indicated a common time (Para. 0080; allows individuals to indicate what time period periods they are interested in) and a common place to meet (Para. 0077; determine what geographical scope the group will have). It would have been obvious to one skilled in the art at the time the application was filed to use common time and common place to meet to be considered to determine if one entity is viable as a group member. This would allow location and time of specific meetings to be incorporated within the group formation, which are essential to certain group activities.

### **Contacts**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tae K. Kim, whose telephone number is (571)

270-1979. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B. Burgess, can be reached on (571) 272-3949. The fax phone number for submitting all Official communications is (703) 872-9306. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the examiner at (571) 270-2979.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

TKK

1/31/08

Y. Barzakh  
